



**MADD**  
Activism | Victim Services | Education

**CAMPAIGN TO  
ELIMINATE  
DRUNK DRIVING**

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Wisconsin Leadership Chair  
Mothers Against Drunk Driving  
Before the Assembly Public Safety Committee  
In Support of Assembly Bill 283  
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**Introduction**

Thank you Mr. Chairman and members of the committee for holding this important hearing and for the opportunity to submit testimony to you today in support of Assembly Bill 283. I am John Vose, Leadership Chair with Mothers Against Drunk Driving of Wisconsin.

Chairman Staskunas, MADD Wisconsin thanks you for your unwavering commitment to improving public safety and saving lives in Wisconsin. MADD believes that the legislature must act now and reform our weak and ineffective drunk driving laws which have helped pave the way for death and destruction on Wisconsin roadways. In the last 10 years, over 3,300 people have been killed in Wisconsin alone in drunk driving crashes. In the last 10 years, over 70,000 people have been injured in alcohol related crashes in Wisconsin. I would like to read that again. In the last 10 years, 3,300 people have been killed in drunk driving crashes and over 70,000 injured in alcohol related crashes in Wisconsin.

This preventable bloodshed and carnage on our roadways is unacceptable. The conservative estimate of the economic cost in the past 10 years of drunk driving fatalities alone is 3.6 billion dollars.<sup>1</sup> This does not include the economic cost of injuries and property damage from drunk driving crashes. Most importantly, the 3.6 billion dollar estimate of drunk driving fatalities fails to include the emotional toll of losing a daughter, a son, father, mother, best friend, relative to the 100 percent preventable violent crime of drunk driving.

MADD believes the time is now to reverse this trend of death and destruction. As a step towards reform, MADD urges this committee's support of Assembly Bill 283, but more action than this bill is needed if we are to substantially reduce drunk driving in Wisconsin.

## **Ignition Interlocks are Proven and Effective in Reducing OWI Recidivism**

Of the many facets of Assembly Bill 283, the most impactful component that has a proven track record of combating drunk driving pertains to ignition interlocks. Here in Wisconsin, requiring ignition interlocks for first time convicted drunk drivers with a blood alcohol concentration of .15 or greater has the real possibility to pave the way for safer roadways.

Ignition interlock devices prevent a vehicle from being started by a driver who demonstrates he or she has alcohol in his/her system. Despite the fact this life-saving technology exists, it is not often used. Nationwide, only about one in every eight convicted drunk drivers is required to have this device installed in their car. In Wisconsin, 1 in every 10 convicted drunk drivers is required to have this device on their vehicle. The interlock requirement located in Assembly Bill 283 is a first step toward increasing interlock implementation, reducing recidivism rates amongst OWI offenders and saving lives by decreasing drunk driving fatalities.

Interlocks have been proven to reduce repeat drunk driving offenses by an average of 64 percent. In 2003, New Mexico enacted a law with similar ignition interlock requirements as in Assembly Bill 283. In 2005, New Mexico improved on their interlock law and required the devices for all OWI offenders, which one day MADD would like to see Wisconsin also implement. Since the 2003 implementation of New Mexico interlock law followed by requiring interlocks for all first time offenders in 2005, today New Mexico has seen drunk driving recidivism decrease by 65 percent, alcohol involved crashes down by 31 percent, injuries down by 39 percent and alcohol related fatalities down by 35 percent. During this same time period, Wisconsin experienced an increase in the percentage of drunk driving related and alcohol related fatalities, not a decrease. If Wisconsin takes the step New Mexico did in 2003 as Assembly Bill 283 would, we will begin to see a decline in drunk driving related fatalities. But in order to see a steady decline in drunk driving, MADD urges legislators to one day require ignition interlocks for all first time convicted drunk drivers with an illegal BAC of .08 or greater.

### **AB 283 is a Step in the Right Direction**

Assembly Bill 283 is a step in the right direction in saving lives in Wisconsin. Besides requiring ignition interlocks for first time offenders with a BAC of .15 or greater, MADD supports closing the .08-.099 loophole thus reinforcing .08 as the illegal BAC limit for first time convicted offenders.

MADD is concerned that the other provisions noted in the bill will have minimal, if any, impact in saving lives and preventing drunk driving from occurring. This bill can be vastly improved by criminalizing the 1<sup>st</sup> offense, making the third offense a felony and providing law enforcement with the option of using sobriety checkpoints. MADD does know this though, Assembly Bill 283 is a first step towards more comprehensive reform in the future.

I would like to submit for the record MADD's State Progress report of 2007 and 2008. Wisconsin advanced from 51<sup>st</sup> worst state in 2007 to 48<sup>th</sup> worst state in 2008 when it comes to drunk driving reform. *Forward* is our state motto, but sadly when it comes to being the leader and advancing effective reform that deters drunk driving, our state motto by no means applies because significant progress has not been made legislatively to prevent drunk driving. MADD believes the reason for this is that "reform" has only occurred to provisions pertaining to the repeat OWI offender.

### **Real Reform Begins with Measures Aimed at Preventing Drunk Driving**

With the provisions relating to ignition interlocks, Assembly Bill 283 is a step towards OWI reform. However, the measure lacks comprehensiveness in truly reforming the Wisconsin OWI law because the improvements pertain mainly to first time offenders with a BAC twice the illegal limit or repeat offenders. Some like to categorize these people as "hard core" offenders. An Insurance Institute for Highway Safety report in 2006 noted that hard core offenders are only half of the problem when it comes to drunk driving. The Insurance Institute for Highway Safety report states "the hard-core group isn't the whole DWI problem or even the biggest part, so it doesn't make sense to focus too narrowly on this group. The result is to overlook a lot of other impaired drivers who escape the definition of hard core."

Clearly, focusing on improving OWI laws for the “hard core” offender will only solve half the problem, and relying on this approach will not cause a steady decline in drunk driving deaths, injuries and OWI arrests on Wisconsin roadways.

So what to do about the other half of the drunk driving problem? Closing the .08-.09 loophole, having a first OWI offense on a record for a lifetime may be a step. But by no means is Assembly Bill 283 an end all solution to reforming how drunk driving is handled in Wisconsin.

MADD believes Wisconsin should join the other 49 states and treat drunk driving as something more than a traffic ticket. After all, a first time offender is not someone who made one “mistake.” We know first-time offenders have driven drunk before—one particular study showed an average of 87 times before the first arrest.<sup>ii</sup> In Wisconsin, most drunk driving fatalities and injuries *are not* caused by repeat offenders, but by those with no prior OWI convictions.<sup>iii</sup> In the future, MADD is hopeful that lawmakers look at treating the 1<sup>st</sup> OWI offense as a criminal misdemeanor or at the very least require interlocks for someone arrested with an illegal BAC of .08. Taking this action will help in deterring people from driving drunk and will save more lives.

Another preventative technique involves giving local law enforcement the option of performing sobriety checkpoints. The Centers for Disease Control found following the implementation of sobriety checkpoints: alcohol related crashes are reduced by 20 percent and fatal crashes were reduced by 23 percent.<sup>iv</sup> It should be noted, the goal of a checkpoint is to prevent and deter people from driving drunk, not to arrest drunk drivers. MADD believes local law enforcement should be given the option of performing sobriety checkpoints which are funded mostly by federal grant dollars. Just as airports are allowed to have metal detectors to prevent against acts of terrorism, law enforcement should be given the constitutionally protected option of performing sobriety checkpoints, as it is another tool to protect the people and prevent drunk driving.

## **AB 283 Sets the Foundation for Future OWI Reform**

MADD believes with the ignition interlock improvements in Assembly Bill 283, the death and destruction caused by drunk driving can modestly begin to decline. However, this bill needs to be strengthened with other measures that are proven to reduce drunk driving so Wisconsin does not experience in the next 10 years, the same 3,300 drunk driving deaths we have in the 10 previous years. In closing, Assembly Bill 283 is an important step moving Wisconsin on the right course towards eradicating one of the primary public health threats facing this state. Thus, MADD supports this legislation but wants to be sure that the committee is aware that *far more* comprehensive reform is needed if we are to move Wisconsin from the ‘worst state’ category and save many more lives on Wisconsin roads.

Thank you.

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<sup>i</sup> Drunk Driving deaths information collected from <http://www-nrd.nhtsa.dot.gov/cats/Index.aspx>. Cost estimates and Alcohol Related injuries gathered from <http://www.dot.state.wi.us/safety/motorist/crashfacts/index.htm>. For more information, please contact Frank Harris at 202-974-2471.

<sup>ii</sup> Zador, Paul, Sheila Krawchuk, and B. Moore (1997) "Drinking and Driving Trips, Stops by Police, and Arrests: Analysis of the 1995 National Survey of Drinking and Driving Attitudes and Behavior," Rockville, MD: Estat, Inc. 1997.

<sup>iii</sup> "Wisconsin 2003 Traffic Crash Facts: Section 6:Alcohol"  
<http://www.dot.state.wi.us/safety/motorist/crashfacts/docs/alcohol-section6.pdf>

<sup>iv</sup> Effectiveness of Sobriety Checkpoints for Preventing Alcohol-Involved Crashes. Centers for Disease Control: The Guide to Community Preventative Services. [www.thecommunityguide.org](http://www.thecommunityguide.org). December 27, 2002.